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Senator Mark Jansen
P.O. Box 30036
Lansing, MI 48909

RE: workers' compensation legislation

Dear Senator Jansen,

Recall that several weeks ago we met in my office and discussed your pending legislation amending the Michigan workers' compensation statute. A number of my fellow West Michigan workers compensation practitioners were present as well, as we all share an interest in reforming the Act so as to foster business in our community and throughout the state.

Michigan's workers compensation statute is in need of modernization and streamlining. Providing certainty and clarity is important to my small business and to those of many of my clients. As such, I have closely followed the various revisions as this bill has worked its way through the house and now the senate.

At this point, I believe that there are a couple of provisions which should be altered so as to strengthen, simplify, and make our workers compensation statute more fair for all.

First, I would suggest that the provision allowing the parties to stipulate to settlement (or "redemption") findings, thus permitting resolution without the plaintiff being present, is not within the best interests of employers. We need to assure that employers have the opportunity to question plaintiff's under oath so that we can tease out any ambiguities. It is also important that Magistrates be able to impress upon plaintiffs the finality of settlement. Having plaintiff's physically present is an important part of this process.

Second, a provision explicitly confirming that employers get credit for *all* unemployment benefits a plaintiff may receive, regardless of whether they are drawn against a particular employer or are part of a federal program, would prevent plaintiff's from so-called double dipping. This would also spare employers from unnecessary litigation.

Senator Jansen, I would be happy to discuss these suggestions, or any other aspects of the workers' compensation system, with you. Please feel free to contact me directly.

Truly yours,

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